

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GREGORY J. BENNETT,

Plaintiff,

V.

STATE OF NEVADA,

Defendant.

CASE NO.: 3:16-CV-00420-RCJ-WGC

ORDER

10 Before the Court is the Report and Recommendation of U.S. Magistrate Judge (ECF #5¹) entered
11 on August 9, 2016, recommending that the Court grant Plaintiff's Application to Proceed In *Forma*
12 *Pauperis* (ECF #1), directing the Clerk of the Court to file the Writ of Prohibition (ECF #1-1) and
13 dismiss the action without prejudice. On August 18, 2016 Plaintiff filed Objections to Magistrate Judge's
14 Report and Recommendation (ECF #6).

15 The Court has conducted it's *de novo* review in this case, has fully considered the objections of
16 the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant
17 to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's
18 Report and Recommendation (#5) entered on August 9, 2016, should be ADOPTED AND ACCEPTED.

19 IT IS HEREBY ORDERED that Plaintiff's Application to Proceed In *Forma Pauperis* (ECF #1),
20 is GRANTED and the Clerk of the Court shall file the Writ of Prohibition (ECF #1-1).

IT IS FURTHER ORDERED that this case is DISMISSED WITHOUT PREJUDICE.

22 IT IS FURTHER ORDERED that the Clerk of the Court shall close the case.

IT IS SO ORDERED this 22nd day of September, 2016.

R. Jones
ROBERT C. JONES

¹Refers to court's docket number.